

# State Board of Massage Therapy

## Laws and Regulations

A compilation of the Indiana Code and Indiana Administrative Code

2014 Edition



Indiana Professional Licensing Agency  
State Board of Massage Therapy  
402 West Washington Street, Room W072  
Indianapolis, Indiana 46204  
Phone: (317) 234-8800  
Fax: (317) 233-4236  
Email: [pla14@pla.in.gov](mailto:pla14@pla.in.gov)  
Website: [www.PLA.in.gov](http://www.PLA.in.gov)

**NOTICE:** This compilation incorporates the most recent revisions of statutes and administrative rules governing the massage therapy profession, as of October, 2014. Note that this compilation is not an official version of the Indiana Code or the Indiana Administrative Code. It is distributed as a general guide for Indiana's massage therapists. It is not intended to be offered as legal advice, and it may contain typographical errors. The State Board of Massage Therapy and the staff of the Indiana Professional Licensing Agency are prohibited from providing legal advice on issues contained herein. For legal advice, please consult an attorney. To obtain official copies of the Indiana Code or Indiana Administrative Code, contact your nearest public library or visit the website of the Indiana General Assembly at [www.in.gov/legislative](http://www.in.gov/legislative).

# STATE BOARD OF MASSAGE THERAPY

October 2014 Edition

## TABLE OF CONTENTS

---

### **INDIANA CODE § 25-21.8 – Massage Therapists**

Chapter 1.	Definitions	IC 25-21.8-1	Page 4
Chapter 2.	State Board of Massage Therapy	IC 25-21.8-2	Pages 4-5
Chapter 3.	Powers and Duties of the Board	IC 25-21.8-3	Pages 5-6
Chapter 4.	Issuance of Certification	IC 25-21.8-4	Page 6
Chapter 5.	Certification by Endorsement	IC 25-21.8-5	Pages 6-7
Chapter 6.	Certification Renewal	IC 25-21.8-6	Page 7
Chapter 7.	Discipline and Violations	IC 25-21.8-7	Page 7
	Non –Code Provision Under Public Law 200-2007	P.L 200-2007	Pages 7-8

### **INDIANA ADMINISTRATIVE CODE**

#### **Title 847, Article 1 – Massage Therapist Certification**

Rule 1.	Definitions	847 IAC 1-1	Pages 8-9
Rule 2.	Standards of Competent Practice	847 IAC 1-2	Pages 9-11
Rule 3.	Certification	847 IAC 1-3	Pages 11-12
Rule 4.	Compliance with Standards; Failure to Comply	847 IAC 1-4	Page 12

#### **Title 847, Article 2 - Fees**

Rule 1.	Fees; Certification, Renewal, Verification	847 IAC 2-1	Page 13
---------	--	-------------	---------

INDIANA CODE § 25-21.8

ARTICLE 21.8. MASSAGE THERAPISTS

---

INDIANA CODE § 25-21.8-1

Chapter 1. Definitions

---

**IC 25-21.8-1-1 Applicability of Definitions**

Sec. 1. The definitions in this chapter apply throughout this article.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-1-2 "Board"**

Sec. 2. "Board" means the state board of massage therapy established by IC 25-21.8-2-1.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-1-3 "Licensing agency"**

Sec. 3. "Licensing agency" means the Indiana professional licensing agency established under IC 25-1-5-3.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-1-4 "Massage therapy"**

Sec. 4. "Massage therapy":

(1) means the application of massage techniques on the human body;

(2) includes:

(A) the use of touch, pressure, percussion, kneading, movement, positioning, nonspecific stretching, stretching within the normal anatomical range of movement, and holding, with or without the use of massage devices that mimic or enhance manual measures; and

(B) the external application of heat, cold, water, ice, stones, lubricants, abrasives, and topical preparations that are not classified as prescription drugs; and

(3) does not include:

(A) spinal manipulation; and

(B) diagnosis or prescribing drugs for which a license is required.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-1-5 "Massage therapist"**

Sec. 5. "Massage therapist" means an individual who practices massage therapy.

*As added by P.L.200-2007, SEC.8.*

---

INDIANA CODE § 25-21.8-2

Chapter 2. State Board of Massage Therapy

---

**IC 25-21.8-2-1 Board established**

Sec. 1. The state board of massage therapy is established.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-2 Members; qualifications**

Sec. 2. (a) The board consists of five (5) members appointed by the governor as follows:

(1) Three (3) massage therapists, each of whom:

(A) is certified under this article; and

(B) has been actively practicing massage therapy for at least three (3) of the five (5) years immediately preceding then individual's appointment.

(2) Two (2) members of the general public. A board member appointed under this subdivision must not:

(A) be certified under this article;

(B) be the spouse of an individual who is certified or intends to be certified under this article; or

(C) have a direct or an indirect financial interest in the profession regulated under this article.

(b) A massage therapist member of the board is not required to be a member of a professional massage therapy association. However:

(1) not more than one (1) massage therapist member appointed to the board may belong to the same professional massage therapy association; and

(2) one (1) massage therapist member must not be a member of a professional massage therapy association.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-3 Terms**

Sec. 3. Each member of the board shall serve a term of three (3) years and until the member's successor is appointed and qualified.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-4 Vacancy; term limits; removal**

Sec. 4. (a) A vacancy in the membership of the board shall be filled by an individual appointed by the governor for the unexpired term.

(b) A member may not serve more than two (2) consecutive terms in addition to any unexpired term to which the individual was appointed. A member may serve until a successor has been appointed and qualified under this chapter.

(c) A member of the board may be removed for cause by the governor.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-5 Election of Officers; Terms**

Sec. 5. (a) Each year the board shall elect from its members the following officers:

(1) A chairperson.

(2) A vice chairperson.

(b) A member serving as chairperson or vice chairperson shall serve until the member's successor as chairperson or vice chairperson is elected.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-6 Board Meetings**

Sec. 6. The board shall meet at least one (1) time each calendar year upon the call of the chairperson or the written request of a majority of the members of the board and with the advice and consent of the executive director of the professional licensing agency.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-7 Quorum**

Sec. 7. (a) Three (3) members of the board constitute a quorum.

(b) An affirmative vote of three (3) members of the board is necessary for the board to take official action.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-8 Compensation for travel expenses**

Sec. 8. A member of the board is not entitled to a per diem allowance or any other compensation for the performance of the member's duties.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-2-9 Rules**

Sec. 9. The board shall adopt rules under IC 4-22-2 regarding standards for the competent practice of massage therapy.

*As added by P.L.200-2007, SEC.8.*

---

**INDIANA CODE § 25-21.8-3****Chapter 3. Powers and Duties of the Board**

---

**IC 25-21.8-3-1 Duties of the board**

Sec. 1. (a) The board shall do the following:

(1) Administer and enforce this article.

(2) Adopt rules under IC 4-22-2 for the administration and enforcement of this article.

(3) Judge the qualifications of applicants for certification under this article.

(4) Issue, deny, or renew certifications under this article.

(5) Subject to IC 4-21.5, IC 25-1-7, and IC 25-1-11, discipline individuals who are certified under this article for violations of this article.

(6) Establish reasonable fees for examination, certification applications, renewal of certifications, and other services.

(7) Maintain a record of all proceedings.

(8) Maintain records of certified massage therapists.

(9) Adopt at least two (2) examinations that an applicant may use for certification under this article.

(b) The board may do the following:

(1) Conduct administrative hearings.

(2) Administer oaths in matters relating to the discharge of the official duties of the board.

*As added by P.L.200-2007, SEC.8.*

**IC 25-21.8-3-2 Duties of the licensing agency**

Sec. 2. The licensing agency shall do the following:

(1) Carry out the administrative functions of the board.

(2) Provide necessary personnel to carry out the duties of this article.

(3) Receive and account for all fees required under this article.

(4) Deposit fees collected with the treasurer of state for deposit in the state general fund.\

---

INDIANA CODE § 25-21.8-4

Chapter 4. Issuance of Certification

---

**IC 25-21.8-4-1 Application**

Sec. 1. An application for a massage therapist certification must be:

- (1) made to the board in the form and manner provided by the board; and
- (2) accompanied by an application fee in the amount set by the board.

As added by P.L.200-2007, SEC.8.

**IC 25-21.8-4-2 Qualifications**

Sec. 2. An individual who applies for certification as a massage therapist must do the following:

- (1) Furnish evidence satisfactory to the board showing that the individual:
  - (A) is at least eighteen (18) years of age;
  - (B) has a high school diploma or the equivalent of a high school diploma;
  - (C) has successfully completed a massage therapy school or program that:
    - (i) requires at least five hundred (500) hours of supervised classroom and hands on instruction on massage therapy;
    - (ii) is in good standing with a state, regional, or national agency of government charged with regulating massage therapy schools or programs; and
    - (iii) is accredited by the state workforce innovation council under IC 22-4.1-21 or accredited by another state where the standards for massage therapy education are substantially the same as the standards in Indiana, or is a program at an institution of higher learning that is approved by the board; and
  - (D) has taken and passed a certification examination approved by the board.
- (2) Provide a history of any criminal convictions the individual has, including any convictions related to the practice of the profession. The board shall deny an application for certification if the applicant:
  - (A) has been convicted of:
    - (i) prostitution;
    - (ii) rape; or
    - (iii) sexual misconduct; or
  - (B) is a registered sex offender.
- (3) Provide proof that the applicant has professional liability insurance in force that lists the state as an additional insured.
- (4) Verify the information submitted on the application form.
- (5) Pay fees established by the board.

As added by P.L.200-2007, SEC.8. Amended by P.L.3-2008, SEC.186; P.L.177-2009, SEC.38; P.L.107-2012, SEC.62.

**IC 25-21.8-4-3 Prohibitions**

Sec. 3. An individual who is not certified under this article may not:

- (1) profess to be a certified massage therapist; or
- (2) use:
  - (A) the title "Certified Massage Therapist" or "Massage Therapist"; or
  - (B) the abbreviation "CMT" or "MT" to imply the person is a certified massage therapist.

As added by P.L.200-2007, SEC.8.

**IC 25-21.8-4-4 Proof of certification**

Sec. 4. A massage therapist who is certified under this article shall provide proof of certification when practicing massage therapy.

As added by P.L.177-2009, SEC.39.

---

INDIANA CODE § 25-21.8-5

Chapter 5. Certification by Endorsement

---

**IC 25-21.8-5-1 Certification by endorsement**

Sec. 1. (a) The board may grant certification by endorsement to an individual who:

- (1) is licensed, certified, or registered in another state having credentialing standards that are at least as strict as the credentialing standards specified under this article;
- (2) is in good standing with the standards of the other state or country;
- (3) pays an application fee established by the board; and
- (4) provides a history of the individual's criminal convictions, if any, including any criminal convictions relating to the practice of the profession.

(b) The board shall deny an application for certification if the applicant:

(1) has been convicted of:

(A) prostitution;

(B) rape; or

(C) sexual misconduct; or

(2) is a registered sex offender.

(c) An applicant for a certification by endorsement shall cause each state that previously credentialed the applicant to provide the board with the applicant's current status in the state.

*As added by P.L.200-2007, SEC.8.*

---

## **INDIANA CODE § 25-21.8-6**

### **Chapter 6. Certification Renewal**

---

#### **IC 25-21.8-6-1 Four year certification; renewal**

Sec. 1. A certification issued by the board is valid for four (4) years. A certification expires at midnight on the date established by the licensing agency under IC 25-1-6-4 and every four (4) years thereafter, unless renewed before that date.

*As added by P.L.200-2007, SEC.8.*

#### **IC 25-21.8-6-2 Renewal application**

Sec. 2. An individual who applies to renew certification as a massage therapist must:

(1) apply for renewal in the manner required by the board; and

(2) pay a renewal fee established by the board.

*As added by P.L.200-2007, SEC.8.*

#### **IC 25-21.8-6-3 Late renewal reinstatement fee**

Sec. 3. If a renewal application is not submitted within the time under section 1 of this chapter, the board shall charge the applicant a reinstatement fee in an amount established under IC 25-1-8-6.

*As added by P.L.200-2007, SEC.8.*

---

## **INDIANA CODE § 25-21.8-7**

### **Chapter 7. Discipline and Violations**

---

#### **IC 25-21.8-7-1 Violations; penalty**

Sec. 1. (a) This section does not apply to the violation of a rule adopted by the board.

(b) A person who knowingly violates or causes a violation of this article commits a Class C misdemeanor.

*As added by P.L.200-2007, SEC.8.*

#### **IC 25-21.8-7-2 Disciplinary procedures**

Sec. 2. The board shall follow the disciplinary procedures established under IC 25-1-7 and IC 25-1-11.

*As added by P.L.200-2007, SEC.8.*

#### **IC 25-21.8-7-3 Reporting criminal convictions**

Sec. 3. If an individual certified under this article is convicted of a crime, the individual is responsible for notifying the board not later than thirty (30) days after the conviction.

*As added by P.L.200-2007, SEC.8.*

---

*As added by P.L.200-2007, SEC.8.*

### **Non-Code Provisions under Public Law 200-2007**

#### **P.L.200-2007, SECTION 9**

(a) As used in this SECTION, "board" refers to the state board of massage therapy established by IC 25-21.8-2-1, as added by this act.

(b) The governor shall make initial appointments to the board not later than January 1, 2008. The initial members of the board shall serve for the following terms:

(1) One (1) member appointed under IC 25-21.8-2-2(1), as added by this act, serves for one (1) year.

(2) One (1) member appointed under IC 25-21.8-2-2(1), as added by this act, and one (1) member appointed under IC 25-21.8-2-2(2), as added by this act, serve for two (2) years.

(3) One (1) member appointed under IC 25-21.8-2-2(1), as added by this act, and one (1) member appointed under IC 25-21.8-2-2(2), as added by this act, serve for three (3) years.

- (c) An individual who does not meet the requirements of IC 25-21.8-2-2(1), as added by this act, may be appointed to the board if the individual:
- (1) substantially meets the requirements of licensure under IC 25-21.8, as added by this act;
  - (2) currently practices massage therapy in Indiana; and
  - (3) has practiced massage therapy in Indiana after June 1, 2004, for at least three (3) consecutive years.
- (d) The three (3) members appointed under IC 25-21.8-2-2(1), as added by this act, are not required to be members of a professional massage therapy association. However:
- (1) not more than one (1) massage therapist member appointed to the board may belong to the same professional massage therapy association; and
  - (2) one (1) massage therapist member must not be a member of a professional massage therapy association.
- (e) This SECTION expires July 1, 2011.

---

## TITLE 847 STATE BOARD OF MASSAGE THERAPY

### ARTICLE 1. MASSAGE THERAPIST CERTIFICATION

---

#### Rule 1. Definitions

---

##### **847 IAC 1-1-1 Applicability**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 1. The definitions in this rule apply throughout this title. (*State Board of Massage Therapy; 847 IAC 1-1-1; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

##### **847 IAC 1-1-2 "Board" defined**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8-2-1

Sec. 2. "Board" means the state board of massage therapy established by IC 25-21.8-2-1. (*State Board of Massage Therapy; 847 IAC 1-1-2; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

##### **847 IAC 1-1-3 "Certificate holder" defined**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 3. "Certificate holder" means a massage therapist certified by the board under this title. (*State Board of Massage Therapy; 847 IAC 1-1-3; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

##### **847 IAC 1-1-4 "Client" defined**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 4. "Client" means a person:

- (1) requesting;
- (2) receiving; or
- (3) who has received;

massage therapy.

(*State Board of Massage Therapy; 847 IAC 1-1-4; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

##### **847 IAC 1-1-5 "Draping" defined**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 5. "Draping" means covering a client with an opaque material that is sufficiently large to protect the client's personal privacy. (*State Board of Massage Therapy; 847 IAC 1-1-5; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

##### **847 IAC 1-1-6 "Licensing agency" defined**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-1-5-3; IC 25-21.8

Sec. 6. "Licensing agency" means the Indiana professional licensing agency established under IC 25-1-5-3. (*State Board of Massage Therapy; 847 IAC 1-1-6; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)



**847 IAC 1-1-7 "Massage therapist" defined****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 7. "Massage therapist" has the meaning set forth in IC 25-21.8. (*State Board of Massage Therapy; 847 IAC 1-1-7; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

**847 IAC 1-1-8 "Massage therapy" defined****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 8. "Massage therapy" has the meaning set forth in IC 25-21.8. (*State Board of Massage Therapy; 847 IAC 1-1-8; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

---

**Rule 2. Standards for Competent Practice**

---

**847 IAC 1-2-1 Purpose****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 1. This rule establishes standards for the competent practice of massage therapy. (*State Board of Massage Therapy; 847 IAC 1-2-1; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

**847 IAC 1-2-2 General requirements****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-1-11; IC 25-21.8

Sec. 2. (a) A certificate holder in the conduct of his or her practice of massage therapy shall do the following:

(1) Comply with the following:

(A) This rule.

(B) The professional licensing standards of practice set forth in IC 25-1-11.

(C) The legal requirements of the city, town, or other jurisdiction where massage therapy is practiced.

(2) Practice massage therapy within the scope of his or her education and training and not misrepresent professional qualifications relating to:

(A) certification;

(B) education;

(C) experience; or

(D) areas of competence.

(3) Practice massage therapy with that level of care, skill, and treatment recognized by a reasonably prudent massage therapist as being acceptable under similar circumstances and conditions.

(4) Acknowledge the limitations and contraindications of massage therapy.

(b) A certificate holder in the conduct of his or her practice of massage therapy shall not do the following:

(1) Delegate massage therapy responsibilities to a person who is not qualified.

(2) Encourage or permit another person to use:

(A) the title "Certified Massage Therapist" or "Massage Therapist"; or

(B) the abbreviation "CMT" or "MT"; if such person is not certified under this article.

(3) Knowingly allow another person to use the certificate holder's certification. Indiana Administrative Code Page 2 STATE BOARD OF MASSAGE THERAPY

(c) A certificate holder that advertises massage therapy services shall do so in a manner that is:

(1) accurate;

(2) free of deception; and

(3) representative of the services that can be provided.

(*State Board of Massage Therapy; 847 IAC 1-2-2; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA*)

**847 IAC 1-2-3 Client assessment and consent****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 3. (a) Prior to providing massage therapy, the certificate holder shall obtain the following from the client:

(1) Information about the reasons and expectations for the massage therapy session.

(2) Health history and current health status to determine the indications and contraindications for the application of massage therapy.

(3) Voluntary and informed consent, either oral or written, for the agreed upon massage therapy services.

(4) Written consent of a parent or guardian for any massage therapy services to be provided to a client less than eighteen (18) years of age.

(b) The certificate holder shall do the following:

(1) Request from the client only information that is relevant to the professional client-massage therapist relationship.

(2) Display a fee schedule or discuss fees and payment with the client prior to providing massage therapy services.

(3) Maintain documentation for each massage therapy session, when practicable, including the following:

(A) The date of service.

(B) Client assessment.

(C) Nature of treatment and services provided.

- (D) Treatment plan, when applicable.
- (4) Refer the client to a licensed health care professional when appropriate.
- (5) Respect the client's right to refuse, modify, or terminate services at any point, regardless of the client's prior consent.
- (c) The certificate holder shall not do the following:
  - (1) Massage the breasts of a female client unless the certificate holder has:
    - (A) training in techniques related to therapeutic massage of mammary tissue; and
    - (B) first obtained informed written consent for the treatment from the client.
  - (2) Perform pregnancy massage unless the certificate holder has:
    - (A) training in techniques related to pregnancy or prenatal massage; and
    - (B) first obtained informed written consent for the treatment from the client.

*(State Board of Massage Therapy; 847 IAC 1-2-3; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

#### **847 IAC 1-2-4 Confidentiality of client information**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 4. The certificate holder shall do the following:

- (1) Maintain the confidentiality of client information at all times and not disclose the client's identity or other information unless the release of information is:
  - (A) consented to in writing by the client;
  - (B) required for purposes of immediate medical treatment of the client by a third party; or
  - (C) required by law.
- (2) Maintain client files and business records, including accurate financial records, for at least four (4) years from the date of service and in a manner that secures client confidentiality.
- (3) Dispose of client records in a secure manner that prevents disclosure of personal information. Indiana Administrative Code Page 3 STATE BOARD OF MASSAGE THERAPY

*(State Board of Massage Therapy; 847 IAC 1-2-4; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

#### **847 IAC 1-2-5 Boundaries; ethical conduct; sexual misconduct**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 5. (a) When providing massage therapy a certificate holder shall do the following:

- (1) Wear clothing that is clean, modest, and professional.
- (2) Provide privacy for the client while the client is dressing and undressing.
- (3) Provide draping in a manner that ensures the safety, comfort, and privacy of the client.
- (4) Use draping so that the:
  - (A) gluteal cleft and genital areas of male and female clients; and
  - (B) breasts of female clients; are not exposed.
- (b) Draping is not required when the client remains fully clothed during the massage therapy session.
- (c) With prior voluntary and informed consent of the client, the gluteal cleft and breast draping may be temporarily moved in order to perform therapeutic treatment to structures in those areas.
- (d) A certificate holder shall not do the following:
  - (1) Perform massage therapy while under the influence of alcohol, drugs, or controlled substances, except for prescribed medications that do not impair the massage therapist's ability to perform massage therapy.
  - (2) Engage in any behavior with a client that is verbally, physically, or emotionally abusive.
  - (3) Exert influence or take unfair advantage of a client for financial or other gain.
  - (4) Exploit the client-massage therapist relationship.
  - (5) Engage in sexual activity with a client:
    - (A) during a massage therapy session; or
    - (B) at an establishment where massage therapy is conducted.
  - (6) Permit any other person to engage in sexual activity with a client:
    - (A) during a massage therapy session; or
    - (B) at an establishment where massage therapy is conducted.
  - (7) Initiate or ask the client to engage in sexual activity or behave verbally or nonverbally in a manner intended to solicit sexual activity with a client.
  - (8) Expose, touch, or massage the genitalia of a client.
- (e) A certificate holder may:
  - (1) terminate a massage therapy session; or
  - (2) refuse to treat any person or part of the body; for just and reasonable cause. *(State Board of Massage Therapy; 847 IAC 1-2-5; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR- 847080351FRA)*

#### **847 IAC 1-2-6 Environment**

**Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1

**Affected:** IC 16-41-11-4; IC 25-21.8

Sec. 6. A certificate holder shall do the following:

- (1) Provide an environment that is safe, clean, and comfortable for the client.
- (2) Maintain all facilities, equipment, and products used in the practice of massage therapy in a safe, clean, and sanitary condition.

(3) Comply with the legal requirements of the city, town, or other jurisdiction for sanitation, health, and safety that are applicable to the location or establishment where massage therapy is conducted.

(4) Utilize proper hygienic practices that, at a minimum, include the following: Indiana Administrative Code Page 4 STATE BOARD OF MASSAGE THERAPY

(A) Hand washing before and after each client.

(B) Storing and dispensing products in a manner that prevents contamination.

(C) Using only materials furnished for the personal use of the client during treatment, including towels, linens, or gowns, that:

(i) have been laundered and sanitized before reuse; or

(ii) are single-use items disposed of after each use.

(5) Use universal precautions if required by IC 16-41-11-4 and in accordance with rules adopted by the Indiana state department of health at 410 IAC 1-4.

*(State Board of Massage Therapy; 847 IAC 1-2-6; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

#### **847 IAC 1-2-7 Reporting violations**

**Authority: IC 25-21.8-2-9; IC 25-21.8-3-1**

**Affected: IC 25-21.8**

Sec. 7. (a) The certificate holder shall notify the board or other appropriate authorities of any violations of IC 25-21.8 or this article of which the certificate holder has personal knowledge.

(b) The certificate holder shall cooperate, within the limits of the law, with any investigative proceedings of alleged violations of IC 25-21.8 or this article.

*(State Board of Massage Therapy; 847 IAC 1-2-7; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

---

### **Rule 3. Certification**

---

#### **847 IAC 1-3-1 Requirements for certification**

**Authority: IC 25-21.8-2-9; IC 25-21.8-3-1**

**Affected: IC 25-21.8**

Sec. 1. (a) In order to be certified as a massage therapist, all applicants for certification must do the following:

(1) File a completed application in the form and manner required by the board.

(2) Submit with the application a recent passport-quality photograph of the applicant, approximately two (2) inches by two

(2) inches in size, signed by the applicant.

(3) Pay fees established by the board in 847 IAC 2.

(4) Provide a history of any criminal convictions, including any convictions relating to the practice of the profession.

(5) Verify the information submitted on the application.

(b) Except as provided in sections 4 and 5 of this rule, applicants must also furnish evidence satisfactory to the board showing that the applicant:

(1) is at least eighteen (18) years of age;

(2) has a high school diploma or the equivalent;

(3) has completed a massage therapy school or program as specified in section 2 of this rule; and

(4) has taken and passed a certification examination as specified in section 3 of this rule.

*(State Board of Massage Therapy; 847 IAC 1-3-1; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

#### **847 IAC 1-3-2 Education and training**

**Authority: IC 25-21.8-2-9; IC 25-21.8-3-1**

**Affected: IC 25-21.8**

Sec. 2. (a) Applicants for certification must have successfully completed a massage therapy school or program that:

(1) requires at least five hundred (500) hours of supervised classroom and hands-on instruction on massage therapy;

(2) is in good standing with a state, regional, or national agency of government charged with regulating massage therapy schools or programs; and Indiana Administrative Code Page 5 STATE BOARD OF MASSAGE THERAPY

(3) is:

(A) accredited by:

(i) the Indiana commission on proprietary education established by IC 21-17-2-1 [IC 21-17-2 was repealed by P.L.107-2012, SECTION 55, effective July 1, 2012.]; or

(ii) another state where the standards for massage therapy education are substantially the same as the standards in Indiana; or

(B) a program at an institution of higher learning that is approved by the board.

(b) An applicant who has been educated as a massage therapist in a foreign country may be required to submit a certified copy of all academic records and an evaluation, from an accredited evaluation service approved by the board, of all academic records and credentials so that the board can determine if the applicant's education is equivalent to the educational requirements in this section. *(State Board of Massage Therapy; 847 IAC 1-3-2; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

#### **847 IAC 1-3-3 Examination required for certification**

**Authority: IC 25-21.8-2-9; IC 25-21.8-3-1**

**Affected: IC 25-21.8**

Sec. 3. An applicant for certification must successfully complete and pass an examination adopted by the board. *(State Board of Massage Therapy; 847 IAC 1-3-3; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

**847 IAC 1-3-4 Certification by endorsement****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 4. The board may issue a certification by endorsement to an applicant who completes the requirements set forth in section 1(a) of this rule and:

- (1) is licensed, certified, or registered in another state having credentialing standards that are at least as strict as the credentialing standards specified under this rule;
- (2) is in good standing with the standards of the other state; and
- (3) causes each state that previously credentialed the applicant to provide the board with verification of the applicant's current status and whether the applicant has been subject to disciplinary action in that state.

*(State Board of Massage Therapy; 847 IAC 1-3-4; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

**847 IAC 1-3-5 Notification of changes****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 5. Each certificate holder is responsible for submitting a change of address or change of name to the board not later than thirty (30) days after the change occurs. *(State Board of Massage Therapy; 847 IAC 1-3-5; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

**847 IAC 1-3-6 Certification expiration and renewal****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-21.8

Sec. 6. (a) A massage therapist certification issued under this article expires on a date established by the licensing agency, and every four (4) years thereafter, unless renewed before the expiration date.

(b) Applicants for renewal must:

- (1) apply for renewal in the manner required by the board; and
- (2) pay a renewal fee established by the board in 847 IAC 2. Indiana Administrative Code Page 6 STATE BOARD OF MASSAGE THERAPY

(c) If a renewal application is not submitted before the certification expires under subsection (a), the certificate:

- (1) is delinquent; and
- (2) may be reinstated under section 7 of this rule.

(d) A certificate holder's failure to receive notice of the upcoming certificate expiration because of failure to notify the board of a change of address or change of name shall not:

- (1) constitute an error on the part of the board or the licensing agency; or
- (2) excuse the certificate holder from timely renewal of the certification.

*(State Board of Massage Therapy; 847 IAC 1-3-6; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

**847 IAC 1-3-7 Reinstatement of delinquent certificate****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-1-8-6; IC 25-21.8

Sec. 7. (a) The holder of a certificate that was issued by the board that is three (3) years or less delinquent shall be reinstated upon meeting the requirements of IC 25-1-8-6(c).

(b) The holder of a certificate that was issued by the board that is more than three (3) years delinquent shall be reinstated upon meeting the requirements of IC 25-1-8-6(d). *(State Board of Massage Therapy; 847 IAC 1-3-7; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

---

**Rule 4. Compliance with Standards; Failure to Comply**

---

**847 IAC 1-4-1 Disciplinary sanctions for noncompliance with standards****Authority:** IC 25-21.8-2-9; IC 25-21.8-3-1**Affected:** IC 25-1-7; IC 25-1-11; IC 25-21.8

Sec. 1. (a) Certificate holders are responsible for having knowledge of and complying with the professional licensing standards of practice set forth in IC 25-1-11 and the standards for competent practice of massage therapy in this article.

(b) Certificate holders are subject to the disciplinary sanctions and procedures set forth in IC 25-1-11 and IC 25-1-7 for failure to comply with the licensing standards or the standards for competent practice of massage therapy. *(State Board of Massage Therapy; 847 IAC 1-4-1; filed Jan 13, 2009, 11:54 a.m.: 20090211-IR-847080351FRA)*

---

## ARTICLE 2. FEES

### Rule 1. Fees: Certification, Renewal, Verification

#### 847 IAC 2-1-1 Fees

**Authority:** IC 25-1-8-2; IC 25-21.8-3-1

**Affected:** IC 25-21.8

Sec. 1. (a) The board shall charge and collect the following fees:

Application for certification	\$100
Certification renewal	\$150
Verification of certification	\$10

(b) Applicants required to take an examination for certification shall pay a fee directly to a professional examination service in the amount set by the examination service. (*State Board of Massage Therapy; 847 IAC 2-1-1; filed January 13, 2009, 11:56 a.m.: 20090211-IR-847080352FRA*)

---